

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KING SPIDER LLC,

Plaintiff,

v.

GUANGZHOU MAIYUAN ELECTRONIC
COMMERCE CO., LTD.,

Defendant.

23 Civ. 4424 (DEH)

ORDER

DALE E. HO, United States District Judge:

On May 25, 2023, Plaintiff initiated this action. *See* ECF Nos. 1, 7. On May 26, 2023, the Court granted Plaintiff's request for a temporary restraining order, and later extended the temporary restraining order through June 27, 2023. *See* ECF No. 15. On July 6, 2023, the Court issued a preliminary injunction. *See* ECF No. 16.

On April 19, 2024, Defendant Guangzhou Maiyuan Electronic Commerce Co., Ltd. ("GMEC Co.") appeared, filed an answer, and moved to set aside a certificate of default against them. *See* ECF No. 46. On May 1, 2024, GMEC Co. appeared through counsel at a conference regarding Plaintiff's motion for a default judgment. *See* May 1, 2024, Min. Entry.

On August 12, 2024, GMEC Co. filed a motion to dissolve or otherwise modify the preliminary injunction. *See* ECF No. 69. In their motion papers, GMEC Co. requests that the motion be heard on two days' notice or sooner, citing Federal Rule of Civil Procedure 65(b)(4). *See id.* Rule 65(b), entitled "Temporary Restraining Order," directs courts to hear and decide any motion to dissolve a temporary restraining order issued without notice "as promptly as justice requires," Fed. R. Civ. P. 65(b)(4), and does not apply to preliminary injunctions.

It is hereby **ORDERED** that Plaintiff shall file any opposition to GMEC Co.'s motion to dissolve the preliminary injunction by **August 26, 2024**. Defendant shall file any reply by

September 3, 2024. The parties shall comply with the Local Civil Rules regarding page limits for any briefing. The approximately four months between GMEC Co.'s appearance in this matter and the filing of its motion to dissolve and the issues presented by GMEC Co.'s motion, which would benefit for development through full briefing, support adherence to default briefing timelines.

SO ORDERED.

Dated: August 13, 2024
New York, New York



DALE E. HO
United States District Judge